

C. J. Foster

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Popular Anecdotes and Legends, by Leitch

Ritchie.

THE DEVIL'S LADDER.

The lord of an ancient castle, it seems, of which there are now only some scanty ruins left, was of a churlish disposition; and one night in particular—it was a dark and stormy night—turned away from his door, “a little old man,” who implored shelter. The next day this lord’s young and lovely daughter was missing; and in the afternoon, the wretched father saw her clearly from his castle window standing on the inaccessible heights of the Hedgecock. He knew now, of course, with whom he had to deal the evening before—out of the gnomes of the mountain; and set to work and strew his bread and his aims to curse and to pray, and to make vows and ladders. All was in vain.

Four years after, when a young knight, returned from the wars of Hungary, was wandering among the mountain, dreaming of the fate of Garlinda, who was by this time the heroine of the popular songs, he saw an old man in a situation of singular danger. The wretched knight was far above the young knight’s head, lying on the very brink of a rock, and fast asleep. Every now and then a twist of his limbs brot him nearer to the edge; he was evidently in the midst of a dream; and in another moment, he would undoubtedly roll into the gulf, where he must be a dead man long before reaching the bottom. To shout would only hasten his fate; and the generous knight, with extraordinary hazard to his neck, climbed up the rock to his rescue.

He had just grasped the unfortunate being by the collar, when the latter awakened, and perhaps terrified by the touch, sprang over the cliff! He struck, however, on a projecting point of the rock, and clung on with a death-grip. The knight, horror-struck, risked every thing to repair the mischief he had done. He followed, but more cautiously; and would have succeeded in saving this man, had not the strength of the latter given way at the moment. He sunk helplessly to another ledge of the rocks; and there was also pursued by the enterprising philanthropist.

Our adventurer, however, was now suddenly alarmed by the growing darkness of the gulf, and by a strange conviction he felt, that the old man was not alarmed at all; and all at once began to mutter a paternoster, and reascend the rocks. His foot slipped, however, at the moment, and he fell upon the object of his fear and compassion, who received him with shrieks of wild laughter, and both parties tumbled head over heels to the very bottom of the cliff.

“What is all this noise about?” demanded another little old man, coming out of a hole in the rock in the dress of a miner, and with a lamp in his hand. The knight’s companion was for some time unable to answer for laughing; but at last—“Brother,” said he, “this young fellow would needs save my life, and ventured his own to help me out of the rocks! What shall we do in return? Shall we give him Garlinda to wife?”

Garlinda is in the safe keeping of our eldest brother at the top of the mountain. We have no more control over her than we have over the moon.”

“I know that; but our eldest brother is a good-natured fellow at the bottom, although he hates churls. Do you, who understand trade, make a ladder for this young man to ascend the mountain, and leave the rest to me.”

Telling the knight then to take the care to be at a certain place at the bottom of the mountain by daybreak, he showed him a subterranean passage by which he easily found his way out of the gulf. As the adventures retreated, he already heard the noise of falling trees, the grating of the saw, the thump of the hammer, and he pleased himself with the idea that the little old man’s ladder was something more than a joke.

The next morning he was punctual to his appointment, and sure enough a ladder appeared reaching to the very top of the mountain! The knight was a little giddy at first when he began to mount; but taking care not to look down, and to keep saying his paternoster incessantly, he at length gained the summit. Here a sight awaited him beautiful enough to repay a thousand such dangers: it was Garlinda, lying asleep upon the velvet turf. Lilies and roses!—was there ever such a girl!—The knight’s lips watered as he looked at her.

“Hush! hush!” whispered a little old man, stealing out on tiptoe from behind a rock. “I am one of the carpenters, your honour, that made the ladder, and I am sorry to tell you that Garlinda’s master is inexorable. He is here, however, lying as fast asleep as she is,

and a single blow of your sword will deliver your mistress, and save your life.”

“I would not slay a sleeping man,” replied the knight, “to deliver a dozen mistresses, or save my own life, were it as manifold as a cat’s.”

“Oh! do not slay him,” exclaimed Garlinda, awaking at the moment; “he has stolen me from my father, it is true; but indeed, he has been a father to me himself!”

“What is to do here?” said the eldest brother, in a gruff but broken voice, as he came from behind the rock, wiping his eyes. “Let us have no more words, for I know all—Hers is your dowry, Garlinda, (giving her a basket of precious stones,) tell your father that I give him. Good bye, sir knight; you that would break your neck to save an old man’s, who would not slay a sleeping man either for love or fear! good bye! I shall see you again at certain family epochs, as often as they occur, and never come empty handed. Now show them the subterranean route, and let the ladder hang as a warning to the country, till it falls in pieces by the action of the elements.”

THE BALD EAGLE.

Mr. Audubon’s Description: “To give you kind reader, some idea of the nature of this bird, permit me to place you on the Mississippi, on

which you may float gently along, while ap-

proaching winter brings millions of water fowl

on whistling wings, from the countries of the

north, to seek a milder climate in which to so-

journ for a season. The Eagle is seen perched

in erect attitude, on the highest summit of the

tallest tree by the margin of the broad stream,

its glistening but stern eye looks over the vast

expanses. He listens attentively to every sound

that comes to his quick ear from afar, glancing

now and then on the earth beneath, lest even

the light tread of the fawn should pass unheard.

His mate is perched on the opposite side, and

should all be tranquil and silent, warns him by

a cry to continue patient. At this well known

call, the male partly opens his broad wings, in-

clines his body a little downwards, and answers,

to her voice in tones not unlike the laugh of a

maniac. The next moment, he resumes his e-

rect attitude, and again all around is silent.—

Ducks of many species, the Teal, Widgion, the

Mallard, and others are seen passing with great

rapidity, and following the course of the cur-

rent; but the Eagle heeds them not; they are

at that time beneath his attention. The next

moment, however, the wild trumpet-like sound

of a yet distant but approaching swan is heard.

A shriek from the female Eagle comes across

the stream—for, kind reader, she is fully as al-

ert as her mate. The latter suddenly shakes

the whole of his body, and with a few touches

of his bill, aided by the action of his cuticular

muscles arranges his plumage in an instant.—

The snow white bird is now in sight; her long

neck is stretched forward, her eye is on the

watch vigilant as that of her enemy; her large

wings seem with difficulty to support the weight

of her body, although they flap incessantly. So

irksome do her exertions seem, that her very

legs are spread beneath her tail, to aid her flight.

She approaches, however. The Eagle has

marked her for his prey. As the swan pas-

ses the dreaded pair, he starts from his perch

in full preparation for the chase, the male bird,

with an awful scream, that to the Swan’s car-

brings more terror than the report of the large

duck gun.

“Now is the moment to witness the display

of the Eagle’s powers. He glides through the

air like a falling-star, and like a flash of light-

ning comes upon the fumous quarry, which,

now, in agony and despair, seeks by various

manoeuvres, to elude the grasp of his cruel fal-

cons. It mounts, doubles, and willingly would

plunge into the stream, were it not prevented

by the Eagle, which long possessed of the

knowledge that by such a stratagem the Swan

might escape him, forces it to remain in the air

by attempting to strike it with his talons from

beneath. The hope of escape is soon given up

by the Swan. It has already become weak-

ened, and its strength fails at the sight of the cour-

age and swiftness of its antagonist. Its last

gasp is about to escape, when the ferocious

Eagle strikes with his talons the under side of

its wing, and with unresisted power forces the

bird to fall in a slanting direction upon the nea-

rest shore.”—Audubon, p. 160.

Winter Evenings.—Long cheerful winter ev-

enings. These constitute one redeeming trait

in our cold, varying climate. Our winter ev-

enings are sufficient to reconcile us to our lo-

cality on terra firma, so valuable are they as the

season of fireside amusement. What a pity it

is they are so generally wasted. We have known

many an indolent [lazy] lout of a mechanic who

would tumble into bed by eight o’clock, while

his pains taking wife worked till 11 or 12; and

many a farmer’s wife will work till midnight,

while her husband dozes in the chimney cor-

ner. This dozing is a bad habit. Don’t allow

yourself to succor in the corner—it is ill bred and

indolent. A man who will sleep like an animal

while his wife is hard at work don’t deserve to

have a wife. Take a book and read to her

these long evenings. It will be a mutual bene-

fit. It will dissipate much of the gloom of

inquietude too often engendered by hard labor;

it will make you more happy, more useful and more respected. Our farmers are too apt to misspend these long evenings in idle grubblings at hard times, high taxes modern degeneracy.

Finding fault wont mend the times. They must rend, improve themselves and educate their children, that the next generation may be wiser than their fathers. Our farmers are but half

acquainted with the rich resources of their soil.

Were they familiar with the most improved sys-

tem of husbandry, and they might readily be-

come so by devoting these long winter evenings

to the reading of books which treat on this sub-

ject, they would have less cause to complain of

the times. Some of the greatest and best men

of our country were sound practical farmers.

But they were not ignorant farmers. They

were men whom great emergencies called from

the seclusion of private life to take part in great

national affairs, and when the country no longer

required the exercise of their talents, they re-

turned again to the beautiful and honorable

labor of the farm. When our farmers are bet-

ter informed, and not till then may they hope

to take that rank, and exert that influence in so-

ciety, to which the respectability and importance

of their occupation so justly entitle them. We

again say let our apprentices, our mechanics, our

farmers, read—spend their winter evenings in

acquiring knowledge, as the best preservative

of folly, vice and dissipation of every kind.

[Port. Courier.]

Wedding Rings, and the Ring Finger.

The wedding ring is worn on the fourth finger

of the left hand, because it was anciently

believed that a small artery ran from this finger

to the heart. Wheately, on the authority of old

OXFORD DEMOCRAT.

PARIS, FEBRUARY 4, 1834.

We commence in this day's paper the publication of Mr. Shepley's speech on the removal of the deposits. The remainder will be given in our next. No one paper can pretend to give the whole of the debates on this subject at length. We have selected this speech because it is from our own Senator, and does honor both to him and to the State which he represents. We offer it not as a specimen of eloquence intended to captivate or amuse, but of sound sense and irresistible argument defending the constitutionality and propriety of the course pursued by the President and Secretary. Our opponents say that he has proved many things that nobody doubted. Very true. But if they did not doubt them denied them. And if any one should suppose that Mr. Shepley has employed too much of his speech in points that were hardly disputable, they will find ample justification in the conduct of those who in their desperation have denied truths that have heretofore been considered as self evident. The effect produced by this speech may be judged of by the efforts made use of by the opposition to prejudice public opinion against it. They attempt to ridicule the speaker & to deprecate the speech. If they seriously think it to be as feeble as they represent it, let them publish it, so that their readers may see what a failure it is. The truth is they feel it deeply and sensibly, and therefore they abuse it. But our readers may judge for themselves and Mr. Shepley or his friends have nothing to fear from their decision.

Our Legislature have passed resolves expressive of their approbation of the course pursued by the President and Secretary relative to the removal of the deposits, and of their opinion that the U. S. Bank ought not to be rechartered, amid the shrieks and lamentations of the opposition. We have before expressed our approbation of this measure and we need not reiterate it. The resistance of the anti-administration party was to have been expected, nor is it to be complained of. Supposing them serious in their approbation of the course pursued by the Bank it was their duty, and if they were influenced solely by party obligations it was a part of their vocation. Their resistance is made their moan is uttered, and their speeches have been printed, and we suppose they feel the easier for it.

Among the business that has recently engaged the attention of the Legislature we notice an attempt has been made to modify or nearly repeal the act abolishing special pleading. From the course of the debate on the subject, one might be led to suppose that the legal profession generally were opposed to that Act. That modification of the Law was made with the sanction and approbation of some of the oldest and best lawyers in this State, and though there may be some difference of opinion among the profession as to the good resulting from it, yet we believe there is no strong feeling of opposition to it, nor have we learned that any evils have resulted from it.

The opposition have much to say about the application of several public officers for an increase of salary. These applications may be right or they may be wrong. We have always considered the proper enquiry to be this. Is the salary a fair compensation for the labor and responsibility required to perform the duties of the office? If so it should not be increased. If it is not make it so. If it is more than a fair compensation reduce it. We are opposed to allowing any public officer more than his services are worth. As to the applications now before the Legislature we know nothing of their merits and cannot therefore undertake to say whether they are reasonable or not. If the salaries were adopted to the services required when they were established, it is natural to suppose that the increase of population and business may in some instances have rendered them inadequate. This is an argument in favor of making them dependent on fees rather than a fixed salary which may be too much at one time and too little at another. In a State growing so rapidly as ours, salaries should be revised as often as once in five or ten years, not necessarily for the purpose of increasing them but to see whether they are adapted to the services required. We have not the happy faculty of some in disposing of such questions simply by inquiring whether the incumbent is a political friend or opponent, and if he is the former increasing and if the latter reducing the salary. But we are an office holder so our opinions are of no weight on this subject.

A term of the Court of Common Pleas was held in this town last week. The business

was so disposed of that the Court adjourned on Friday. We believe that the jury disagreed in but one case. The criminal business was small. Some roads was complained of. One trader was indicted for selling ardent spirit without license. And a Mr. Parlin was tried and found guilty of taking logs from the Androscoggin river. Notwithstanding the shortness of the term we understand there was more than the usual number of cases on the docket. Let the people look to it. Over a hundred actions were entered this term which is an increase of the usual number. We suppose the friends of the Bank will see in this another effect of the removal of the deposits and an argument in favor of a recharter.

The disease called Burnt Tongue prevails to a considerable extent among the horses and cattle in this vicinity. We have not heard of its proving fatal in any instances yet, but the subjects are much weakened and reduced.

Much interest was excited among the citizens of this County, who are engaged in the lumber trade, by the trial of an indictment for taking logs, an abstract of which we have been furnished with by a correspondent. Many of our citizens are perhaps not aware of the strictness of the law in this respect. It is to be feared that too great laxity has heretofore prevailed in this business, and the owners being determined to prosecute all trespasses, we publish this trial for the information and warning of all who may feel an interest in the subject.

STATE versus PARLIN.
This was a prosecution originally commenced by Complaint before a Justice of the Peace and came up by Appeal. The Respondent was charged with taking from the Androscoggin River and converting to his own use, a pine log suitable for boards, clapboards, &c. not his own. The complaint was presented upon the Statute of 1831 entitled "An Act to secure to owners their property in Logs, Masts, Staves and other timber," providing that "any person, shall take, carry away, or otherwise convert to his or their use, without the consent of the owners, any log or logs suitable to be sawed or cut into boards, clapboards, shingles, joists, or other timber, or any mast or spar, the property of another, whether the owner thereof be known or unknown, lying or being in any river, pond, bay, stream, or inlet, within this State, he or they so offending shall forfeit and pay for each and every such log, mast, spar, or other timber, fine of twenty dollars, to be recovered with costs of prosecution, on complaint, as for a criminal offence, before any Justice of the Peace in the County where such offence is committed."

Also imposing the same penalty for cutting out, altering or destroying any mark or marks made on any log, &c. without consent of owner. And further providing "That the finding of any log, &c. in the possession of any person, with the mark cut out or altered, or the log cut up or split into bolts for shingles or clapboards, shall be sufficient evidence to subject such person to the penalty before mentioned, unless such person can give reasonable satisfaction to the Court, to his right fully obtained possession of the same."

The evidence on the part of the Government was that the Respondent's farm on which he resides, lies contiguous to the waters of the Androscoggin River. On this farm a number of pine Mill logs were found under suspicious circumstances, which were readily recognized by the witnesses as *river* logs. They were scattered along at some distance from each other, the nearest being about thirty rods from the nearest house, hid about highwater marks, where they could by no possibility have been floated by the water and were concealed by the bushes and undergrowth in which they lay. Some of them were entire, with the exception of pieces split from the side apparently for the purpose of trying the rift, but probably to destroy the mark; some more or less cut up and parts carried away, while the valuable part of others was entirely gone. In all cases where the log had been cut up and split into bolts, a sap or outer part was removed, and the log lay in the snow. There is a well beaten road running from the Respondent's house the whole distance these logs were scattered, which had been used for no other purpose than carrying away the lumber into which the logs were manufactured. On one side of the house a quantity of clapboard bolts were found, packed under some old logs and carefully covered with snow—and on the other side a large quantity of splinters were found deeply imbedded in snow and some bolts of another kind thrown on top, probably with a view to exclude suspicion in consequence of their having been disturbed.

The Respondent denied possession being in him; disclaimed all knowledge of the matter, and introduced a witness to prove that he had sold some old pine trees from another part of his farm, a part of which had been recently manufactured into shingles at his house, but did not undertake to give any account of the logs in question. The Judge instructed the Jury that although they might not be convinced of the guilt of the Respondent in the actual taking and conversion, yet if the circumstances of the case were such, as to convince them beyond a reasonable doubt that he had a manifest and evident intent to deprive the owners of their property, and the Jury accordingly the Jury after a short absence returned a verdict of guilty.

We shall take occasion hereafter to speak of the propriety, necessity and application of the law upon which this prosecution was founded.

23D CONGRESS—1ST. SESSION.
REMOVAL OF THE DEPOSITS.
SPEECH OF MR. SHEPLEY,
OF MAINE,
IN SENATE.

TUESDAY, Jan. 14.

MR. PRESIDENT: Sir, I desire to call to the recollection of the Senate, the subject matter under consideration. I understand it to be the removal of the deposits of the moneys of the United States, from the Bank of the United States and its branches to other places; and the reasons assigned by the Secretary of the Treasury for their removal; together with the resolutions of the Senator from Kentucky upon that subject.

I had anticipated in this body a calm, deliberate, and respectful consideration, both of the fact of removal, and of the reasons offered by the Secretary for the removal.

It being an act authorized by a law of Congress to be done—and it having been done as authorized by the law, I had supposed the reasons assigned for doing it, might have received a fair consideration. But, sir, what have we heard? A fearful array of alarm and danger, as if the removal of a few millions of unexpended moneys in your Treasury, would destroy a commercial and banking capital of hundreds of millions, annihilate the credit, and involve all the wealth and industry of the country in one common ruin.

—
A term of the Court of Common Pleas was held in this town last week. The business

But, as if this were not enough, we are informed with resolutions, alleging assumption of arbitrary power; with proclamations that our institutions were prostrated, "the constitution gone," and a revolution consummated. And in addition to all this, we are to be intimidated with names and epithets, and terms of reproach, for the sacrifice of individual character, and honor, and fame. We are taunted with violations of the constitution, and of law, and of official trust; and with epithets, charging dishonesty, falsehood, concealment, and the assumption of ungranted and arbitrary power, as if tyranny and monarchy were the designed object of him whom the people have so recently elected to be the preserver and guardian of their liberties.

Sir, I mourn that this discussion could not

take place without an attack upon individual and honorable character. I mourn, that the Government Directors of the Bank should have

been called "spies" and "informers."

Sir, does the Senate remember that where there is an informer, it implies a crime to be informed against? Where is there an informer unless there is crime, and crime known to them, and against which they are to inform? No where,

unless it is in the Bank of the United States.

And, sir, is there not concealment there? And does not concealment imply offence? A crime

and it is not because there is concealment and crime, that we hear, without any examination

into the affairs of the Bank, these men called informers?

It does not become me to tell what their characters are; they are known and speak for themselves.

The Secretary of the Treasury, in another trial, distinguished and honorable, and without

reproach, even from his enemies, is also assailed.

Sir, I cannot speak as I feel without violating the rules of this body. But the Secretary

needs not me to speak in his defense.

There is another private character attacked, that of the Government Agent, in relation to

the depositories. But, sir, do not let it be supposed that I cede that there was any thing illegal in the removal of the former Secretary. I shall have

occasion to consider that question in the course

of my remarks. The plain and principal ob-

jection contained in the resolutions before the

Senate is, "that the President has assumed the

exercise of a power over the Treasury of

the United States, not granted to him by the

constitution and laws, and dangerous to the

liberties of the people."

This is founded, sir, upon the supposition

that there must have been a violation of the

law. (I mean enacted law.) The charge is

attempted to be maintained by calling to mind

the organization of the Treasury Department.

It is said that the Treasury is organized upon a

different principle from the rest of the Depart-

ments. In what consists the difference? In

name! A difference of name is to alter the

power given by the constitution to the Execu-

tive. But even this position, based upon a dif-

ference of name, is untenable. In the next

act passed by Congress, the Treasury was called

an Executive Department; and among

other officers of this Executive Department,

was specified the Secretary of the Treasury.

The Senator from New Jersey not only ques-

tioned the right of the Secretary to remove

the depositories, but his power to place them else-

where. He says that all the Secretary's pow-

er is derived from the act of 1789, and that

his power has not been "enlarged or contract-

ed since."

Sir, there has been a different grant of pow-

er; a grant which has invested the Secretary

with a discretionary power. Strong as this as-

sertion may appear, sir, it is a true one. It

has pleased the legislature to invest the Secre-

tary with discretionary power. I do not

mean to enter into a consideration of the pro-

priety of it.

I take the laws as they are—and if there be

any blame anywhere, let it attach where it be-

longs, and not to the Secretary, that such dis-

cretionary power exists.

I have alleged, sir, an alteration in the law

relative to the power of the Secretary; now

for the issue. I find an act making alterations

in the Treasury and War Departments, these

words:

"An act making alterations in the Treasury

and War Departments." Approved May 8th,

1792.

Extract from the 6th Section.

"Sec. 6. And be it further enacted, That

the Secretary of the Treasury shall superin-

tend the collection of the duties on imports

and tonnage as he shall judge best."

This act refers to him, and recognises him

as the head of the Department. It gives him

also a discretionary and superintending power.

It tells him that he is to superintend the col-

lection of the revenue, "as he shall judge best."

Sir, what is comprehended in the term "super-

intending" the collection of the revenue? We

all know that it is to collect debts; to take

possession of moneys; and surely we must

keep these moneys when we have taken posses-

sion of them, unless we are particularly di-

rected where to place them. If, then, a per-

son is to collect debts, he is also to keep them,

unless directed to the contrary. Again: do

not the acts recognising the Secretary as the

head of the Department, give him also, the

power to direct others in the performance of

their duties? The head of the Department

stands in the same relation to those around him,

as he does to the members of the natural

body.

And, sir, in this state of the legal power, a

discretionary power, to collect and of course to

preserve when collected, what becomes of the

grounds of the alarm which has been raised

by the Secretary has assumed legislative pow-

er? Sir, they are all assertions, mere asser-

tions, contradicted by the fact.

The Secretary has been censured because

he thought it was singular, that such a power

should be entrusted to him, and that Congress

had not legislated and informed him in what

the constitution, sanctioned by Congress, and practised upon, that is denounced oppressive, and as causing a revolution.

The power of the President to superintend and control the subordinate officers is not only denied, but also denounced as unconstitutional, tyrannical and oppressive. It is said, if that power is in the President, then he is the whole of the Government, the Government, then, is a simple machine enough. It is the bed of Procrustes, to cut short and lengthen its victims at pleasure.

Sir, I am for no enlarged construction of the constitution; for no accumulation of power in the government of the Union; for the augmentation in the power of the President; for none in Congress. I resist all augmentation of power by construction.

Sir, I am for the constitution as it is; I have sworn to support it as it is; not expanded by internal improvement, American system, and a money monopoly, till it sickens with repletion and sinks into its own loathed rottenness; nor on the other hand compressed until it be a humble suppliant to the States for the air to breathe, and being denied shall gasp and die.

The Senate then adjourned on motion of Mr. Benton.

[To be concluded in our next.]

Monday, Jan. 20. In SENATE, Mr. Frelinghuysen presented a petition and resolutions passed by the Legislature of New Jersey; approving the course of the Administration as to the Public Deposits, and instructing their Delegation in Congress to sustain that course by their votes and influence; which was read and laid upon the table, and ordered to be printed.

Mr. Webster then submitted resolutions adopted at a meeting of citizens of Boston; which were read and referred to the Committee on Finance.

These Resolves ascribe the embarrassments in the money market partly to "a spirit of speculation and overtrading," and partly to the removal of the Deposits from the U. S. Bank; state as the opinion of the meeting, that "a restoration of the National Bank to the relation in which it stood to the Government prior to the removal of the Deposits, and allowing the public moneys already in possession of the local Banks to remain there, till required by the Government," would, in a great measure, relieve the country from the embarrassments arising from a scarcity and derangement of currency, and above all, allay that distrust, agitation and alarm, which is more difficult to overcome, and more dangerous in its tendencies, if not overcome, than the actual inconveniences and losses usually incident to an insufficient or deranged currency;—that whatever course may be adopted by Congress, in relation to matters now in dispute between the Government and the National Bank, it is of vital importance to the great interests of the Nation, that there should be a prompt decision, so necessary for the re-establishment of that confidence throughout the whole country, which had been greatly impaired by the uncertain and unsettled state of our financial and money concerns." Further they disclaim all party or political purposes, beyond the direct object manifest on the face of them; and state "that the meeting comprises persons of all classes and professions, entertaining various and opposite opinions upon the question of rechartering the existing National Bank, or of chartering a new one in lieu of it; that few of them have any pecuniary interest involved in the fate of that institution; that they have met together on this occasion, as citizens, having one common end in view, and with no other purpose or desire than to aid in the re-establishment of that credit and confidence among all classes, so essential to our present safety and our future prosperity."

Legislature of Maine.

FOURTEENTH SESSION.

IN SENATE.

Monday, Jan. 27. A message came from the House, informing the Senate of the decease of Hon. Joshua Cushman, member of the House of Representatives, and that in consequence of that event, the House had adjourned.

Mr. Emmons then rose in his place, and said: Mr. President,—It having pleased the Almighty Sovereign of the Universe to remove by death, the Hon. Joshua Cushman, a member of the House of Representatives from the county of Kennebec, and he having at different times, received from his fellow-citizens, distinguished testimonials of confidence and respect; and the House of Representatives, from a regard to his services and worth, having adjourned—now move, that, in concurrence with the House, as a testimonial of our respect for the deceased, the Senate now adjourn.

And the Senate forthwith adjourned.

Tuesday, Jan. 28. The Senate joined Messrs. Cogswell and Farnsworth to the Special Committee appointed by the House to inquire into the expediency of revising the Act to exempt certain goods and chattels from attachment and from distress for taxes.

Bill additional relative to the Maine Charitable Mechanic Association, was read once and tomorrow at ten o'clock assigned.

Bill to prevent and punish injuries to boats and rafts, came up from the House amended. The Senate reconsider their vote whereby they passed said Bill to be engrossed, nonconcur with the House in the amendment proposed, and amend said Bill and pass the same to be engrossed.

Bills—to set off Peasee Morrill from Dearborn to Belgrade; to repeal an Act incorporating the Universalist Society in Turner; to incorporate the proprietors of the Portland Hotel; additional respecting salaries of Registers

of Probate; to incorporate the town of Greenfield; to increase the Capital Stock of the Exchange Bank—passed to be enacted.

The Bill to set off a part of the town of Hallowell and annex the same to Gardiner, was taken up.

Mr. Rogers said, that in looking at the plan of the town of Hallowell, he perceived that it was of a very irregular shape, and though of a considerable extent from East to West, its width on the river was contracted. The Bill now under consideration proposed to diminish that width by taking off a considerable portion of territory, and making it more irregular. Not having been on the Committee that reported this bill, he wished to know if other reasons than those set forth in the petition had been presented to that Committee. He thought good and sufficient reasons should be given, before a portion of one town should be taken off and annexed to another. He did not think the reasons they now had were sufficient and if none more weighty were offered, he should vote against the bill.

Mr. R. being informed that the member of the Committee who had taken the minutes, was not present, he moved to lay the bill on the table.

Petition of John Baker et. al. for an Act to remove the obstructions in Crooked River, read and referred to the Committee on Interior Fisheries.

Petition of Stephen Emery, Judge of Probate for the County of Oxford, for an increase of salary, read and referred to the Joint Select Committee, consisting on the part of the Senate of the Delegation from Oxford County, with such as the House may join.

Wednesday, Jan. 29. Bills to incorporate the town of Cambridge; additional relative to the Maine Charitable Mechanic Association, read a second time and passed to be engrossed.

The Committee on Incorporation of Towns, to whom was referred the petition of Ira Crocker et. al. made a report asking to be discharged from any further consideration of the subject. Read and accepted.

Thursday Jan. 30.

Bills—to prohibit minors from the practice of law; to incorporate the town of Marion; to incorporate the town of Stoneham; in addition to an Act entitled An Act to incorporate Falmouth Academy; additional to an Act regulating Judicial process and proceedings; to incorporate the Bucksport and Calais Stage Company; to increase the Capital Stock of the Manufacturers and Traders' Bank; were severally passed to be enacted.

Mr. Bradbury, from the Committee on Division and alteration of Counties, reported order of notice to next Legislature on petitions of towns in county of Oxford, and also sundry petitions of several towns in County of Somerset, praying to be set off from said county, and annexed to the county of Kennebec.

Bill additional to an act to abolish Special Pleadings, came up from the House indefinitely postponed. The question was receding from former vote and concurring with the House.

Mr. Tobin said, The gentleman from Penobscot in his remarks stated that he felt no great interest in the passage of the bill. I can say to the gentleman, I feel greatly at his indifference. But he complains, that although this bill was matured by a Committee of the legal profession, yet he was sorry to find so much opposition from gentlemen who were not acquainted with the fate of that institution; that they have met together on this occasion, as citizens, having one common end in view, and with no other purpose or desire than to aid in the re-establishment of that credit and confidence among all classes, so essential to our present safety and our future prosperity."

Mr. Emmons then introduced the following order, and it was unanimously adopted:

Ordered, That the members of this House testify their respect for the memory of the Hon. Josiah Cushman, by wearing black crepe the remainder of the session.

The House then adjourned.

Wednesday, Jan. 29. The House concurred with the Senate in referring to the delegation from the County of Oxford the petition of Stephen Emery, Judge of Probate in that county, for increase of salary.

Bill to provide for the election of County Commissioners, was on motion of Mr. Prince of Turner, taken up and the Report of the Committee thereupon, that it ought not to pass accepted.

Mr. Dunton gave notice that he should, tomorrow morning at ten o'clock, move a reconsideration of the vote, whereby the foregoing report was accepted.

Ordered, That the Committee on the Judiciary inquire into the expediency of altering the law on attachments, so that Real Estate shall not be subject to private attachment.

Bill to increase the salary of Register of Probate in Washington County, was read twice and Tuesday next assigned.

Thursday, Jan. 30.

Bills—to cede to the United States Jurisdiction, over the arsenal at Augusta; additional to act for the prevention of fire and the safe keeping of gunpowder; to incorporate the Androscoggin Bank; to incorporate the Bangor and Dexter Stage Company; severally passed to be enacted.

Resolve for the relief of Edward J. Gay; finally passed.

Appointments by the Governor and Council. John Hodgdon of Bangor, to be Land Agent vice Daniel Rose, deceased.

James W. Bradbury of Augusta, to be County Attorney for the County of Kennebec, vice Robert Goodnow, removed.

Augustine Haines of Portland, to be County Attorney for the County of Cumberland, vice George W. Pierce, resigned.

The Nullification and Bank editors affect to be greatly surprised that Mr. Shepley should have dared to speak well of Mr. Kendall, and defend him from the wanton and malicious slanders which they have been so long and so industriously engaged in circulating. For this honorable defence of a personal and political friend, when unjustly assailed, Mr. S. conies in for no small share of opprobrium—and the horde of pensioned letter-writers who keep the country filled with all sorts of falsehood, scandal and ribald abuse, are making a systematic attempt to ridicule and laugh him down. Mr. Kendall has long been the object of their hatred, and to

new system of pleading, he was disposed to accept.

Bills—to set off Peasee Morrill from Dearborn to Belgrade; to repeal an Act incorporating the Universalist Society in Turner; to incorporate the proprietors of the Portland Hotel; additional respecting salaries of Registers

ever may have been their early advantages to acquire knowledge on these subjects—he saw no objection why they should not be the judges as to the propriety of the course of practice to be pursued by those belonging to the learned professions. His objections to the law of '31 were, in short, that it destroyed the logic of law, and robbed it of its boasted ornament, (the knowledge of special pleading,) which from the days of Lord Coke to the present time, has been declared by the most learned jurists to be the key and guide to correct, certain, and positive conclusions. He felt a great respect for the opinions of his friend from Waldo, (Mr. Knowlton,) and for the gentlemen from Oxford, both on account of their age and experience, and their knowledge of men and the business concerns of life—and should vote with them on the present question.

On motion of Mr. Emmons the vote was taken by Yeas and Nays, and was thus decided: YEA.—Allen, Bradbury, Brown, Cobb, Cogswell, Farnsworth, Frye, Groton, Howard, Knowlton, Labaree, Pease, Prescott, Smith, Tobin, Williamson, 16.

NAYS.—Chandler, Emmons, Farnham, Manning, Pierce, Potter, Rogers, 7.

The Senate thus receded from their previous vote and concurred with the House. Adj.

HOUSE OF REPRESENTATIVES.

Monday, Jan. 27. As soon as the House was called to order, and the Journal read, Mr. O'Brien rose in his place, and said—

The painful duty devolves on me of announcing to this House, the solemn providence that has served from us a highly valued member.

The Hon. Mr. CUSHMAN, member from Winslow, died at his lodgings this morning.

His spirit has returned to him that gave it.—The place that so recently knew him here, will know him no more forever. He was one of the patriots of the Revolution that lingered among us a little behind their contemporaries. In that eventful struggle he was among the foremost. His then youthful bosom was fearlessly bared to the bayonet of the enemy. He bears to his grave honorable scars of that service.

The voice of his fellow citizens has often called him to high and responsible places.—His public acts are not only spread before the people of this State, but before the Nation.—To public opinion, that most unerring of human tribunals, I fearlessly leave them. A respectable and intelligent portion of the community have recently affixed to his public course, the seal of their approbation, by electing him to a seat in this House. This last testimony of confidence, when about to make his exit, was sweet consolation. It cheered him till his lamp went out. He has gone down full of years, like a shock of corn fully ripe.

Mr. O'Brien then introduced the following order, and it was unanimously adopted:

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testify their respect for the memory of the Hon. Josiah Cushman, by wearing black crepe the remainder of the session.

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head and heart, and as such it will be viewed by all candid men. He could not sit in silence and permit a friend to suffer unjust obloquy and reproach, without raising his voice in defence, and bearing testimony to the facts within his own knowledge. Had he failed to do so, he would have been unworthy of the high station with which he has been honored.—[Saco Dem.

Mr. Shepley's speech has not yet reached us; but the uneasiness it gives to the opponents of the Administration, leaves no room to doubt its ability and force. The last number of the U. S. Telegraph alone, contains no less than four attempts, in as many different paragraphs, to destroy the influence it is calculated to exert. The allied presses of the Bank follow suit; and there is not one of them but has fired its ordinance or its pop-gun, as the case may be, at Mr. Shepley. All this fluttering only proves that he has bearded the lion in his den; and that nothing is so much dreaded at this moment, as a candid perusal, by the people, of Mr. Shepley's speech.

For the bold course Mr. S. has so fearlessly taken, he deserves, and will receive, the hearty thanks of the Democracy of Maine. His character is here known. In this State, he is above the breath of slander, and holds a place in public estimation, and exerts an influence on the public mind, founded on his superior abilities and straight-forward integrity, which few have the good fortune to attain. It is with the utmost timidity, that even the presses in the interest of the Bank, in this State, copy the attacks originated elsewhere. Any attempt to injure his reputation, or lessen the estimation in which he is held, is looked upon as an attack upon the State, and a plunder upon the common treasure of its citizens. With what indifference then must the attacks of the Telegraph and its compeers be received? They should know that Mr. Shepley is far above their reach, and that the darts aimed at his character by his enemies, but excite the pity and contempt of his fellow citizens for those who assy to hurt them.

[Daily Age of the 28th ult.]

BLACK TONGUE.

The following recipe for the cure of this disease was obtained by the editor of the American Farmer from Mr. Tomlinson one of the stage proprietors in Baltimore. It is said to cure in 99 cases in 100. "On the commencement of the disease, bleed moderately. If the blood, after cooling, appears to have much buff on it, repeat the bleeding—give a pint of castor oil—if it does not operate in 16 hours, give two thirds of a pint. Nitre may be given at the rate of 2 oz. a day; or salts two or three times a week, 1-4 lb. at a time—these may be given in a thin mush or rather slop of bran, it being the best food for the animal while diseased."

"Take half a pint of honey, one table spoonful of borax and one quart of strong sage tea, mix them well together, then take a stick and tie a soft rag on the end of it; dip it in the mixture and wash the tongue, gums and mouth well; the more frequently the better, at least every two hours—sweet milk in the tea will do no harm."

NOTICE.

To all whom it may concern! ALL persons who are desirous of having a VESTRY erected in this Village for the use of the Society, are requested to meet at the Shool house on Saturday the 8th of February.

Paris-Hill, Jan. 30. 1834.

COLLECTOR'S NOTICE.....: Dixfield.

NOTICE is hereby given to the coincident proprietors and owners of the following lots of land in the town of Dixfield, in the County of Oxford that the same are taxed on the Bill of assessment of the State, Town and County Taxes for the year 1833. And also for deficiency of Highway Taxes for the year 1832. Committed to the Subsidiary Collector of said Dixfield for the year 1833, in the sums respectively set against said Lots as follows, viz:

No. of Lot	Range.	No. of Acres	Value.	County Tax	Town Tax	Highway Tax	Deficiency	Total.</th
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P O E T R Y.

THE BETROTHED.

'And now 't was done ;—on the lone shore were plighted Their hearts ;—the stars, their nuptial torches, shined Beauty on the beauteous, they lighted.'—*Byron*.
The mist was sleeping on the hill, The dew was on the brake, And the wild bird's scream went lone and shrill Along a quiet lake.
In the deep silence of the night. A youth and maiden stand, Where waters ripple low and light, Like music, to the strand.
There was a spell of holiness Around them, as they stood— The starry night in her gala dress, And the bright and peaceful flood ; But the pale girl shook with a silent fear, As he stood before her, there ; And his voice, like a spirit's low and clear, Went forth on the quiet air.
'Long years ago, on this same spot, I stood beside you first, And told (oh, is tale forgot ?) The love that childhood nursed ; Such love as only childhood can ; You wept and listened then, And bade me, when I grew a man, To tell the tale again.

We parted on this spot of ground, With fast, but pleasant tears ; And the busy world went on its round, With its hopes and with its fears ; And now I am a man,—mid men Of sterner mood and brow ;— Moonlight is on those waters then— Moonlight is on them now.

If then wilt plight me thy heart and hand, I will build thee a bower in another land, And under as blue a sky. If thou wilt buffet the waves of time, And storms of the world with me, I will find thee a home in sunny clime, Far over the western sea !

I do not promise thee gold to wear, Nor gems of price and and pride ; But thou shalt wave in thy own bright hair The flower of the mountain side ; Thy place with the dames of that land shall be Mid the high and the noble of blood, And thy step on the hill be as proud and free As the bride of a chieftain's should.

I do not promise thee lighted hall, The torch, or the diamond's glare ; You must say farewell to the midnight ball, When you tread on the wild heaths there ; But you shall see from your bower, afar, The lake as it sleeps in light ; And the tranquil rays of the evening star, As it rests on the waves by night.

I do not promise thee page to wait, Nor maiden to bend the knee ; I do not promise thee robe of state, Nor gilded canopy ; I may not lead thee to lordly dome, Where pride and proud ones be ; But I'll share with thee, in my fathers home, What my fathers have shared with me.
I give thee primrose that childhood gave In its first and fervent love— To share one dwelling, on land or wave, And one guiding star above ; One bliss,—one pain,—one hope,—one fear,— One altar, and one God ! One trust hereafter—and one here ; One grave, and one green sod !

The tale is told—his lips are mute, And bent to earth his brow ; One tear of hers has stained his lute ; How beat his pulses now ! Tell me, sweet cousin, if you know, When maiden's cheek grows pale, And when her tears begin to flow, How answers she such tale !

STATE TEMPERANCE CONVENTION
In order to secure a full attendance at the annual meeting of the State Temperance Society, to adopt a more efficient organization of the Friends of Temperance in this State, and to awaken a more vigorous and general interest in the cause, the Executive Committee of the Kennebec County Temperance Society, at the suggestion of the President, have adopted the following resolution :

Resolved, That it is expedient to have a Convention of delegates from all the Temperance Societies and friends of Temperance in this State to assemble at *Augusta*, on WEDNESDAY, FEBRUARY 5, 1834, at 11 o'clock in the forenoon, and to continue in session until such business as may come before them shall be completed.

Voted, That the Secretary be instructed to publish a notice to that effect, and to request all the newspapers in the State to give it insertion until the time of meeting, and to use their influence to ensure a general attendance.

Attest, H. K. BAKER, Secretary.

J O B W O R K,
Executed with neatness
and despatch at this
O F F I C E

At a Court of Probate held at Fryeburg within and for the County of Oxford, on the twenty-first day of January in the year of our Lord eighteen hundred and thirty-four.

JACOB H. GREEN, one of the persons named Executor in a certain instrument purporting to be the last will and testament of William Russell Jr late of Fryeburg in said County, deceased, having presented the same for probate.

ORDERED, That the said Jacob H. Green give notice to all persons interested, by causing a copy of this order to be published three weeks successively in the Oxford Democrat printed in Paris, that they may appear at a Probate Court to be held at Paris in said County on the first Tuesday of March next at ten o'clock in the forenoon and shew cause, if any they have, why the said instrument should not be proved, approved, and allowed as the last will and testament of said deceased.

STEPHEN EMERY, Judge.

Copy Attest : JOSEPH G. COLE, Register.

At a Court of Probate held at Fryeburg within and for the County of Oxford, on the twenty-first day of January in the year of our Lord eighteen hundred and thirty-four.

PELEG WADSWORTH, Administrator of the estate of Peleg Wadsworth late of Hiram, in said county, deceased, having presented his third account of administration of the estate of said deceased.

ORDERED,

That the said Administrator give notice to all persons interested, by causing a copy of this order to be published three weeks successively in the Oxford Democrat printed in Paris, that they may appear at a Probate Court to be held at Paris in said County, on the first Tuesday of August next, at ten o'clock in the forenoon and shew cause, if any they have, why the same should not be allowed.

STEPHEN EMERY, Judge.

Copy Attest : JOSEPH G. COLE, Register.

At a Court of Probate held at Waterford within and for the County of Oxford, on the twenty-first day of January in the year of our Lord eighteen hundred and thirty-four.

LEWIS JEWELL, Administrator of the estate of Daniel G. Swan late of Waterford in said county, deceased, having presented his first account of administration of the estate of said deceased.

ORDERED,

That the said Administrator give notice to all persons interested, by causing a copy of this order to be published three weeks successively in the Oxford Democrat printed in Paris, that they may appear at a Probate Court to be held at Paris in said County, on the first Tuesday of March next at ten o'clock in the forenoon and shew cause, if any they have, why the same should not be allowed.

STEPHEN EMERY, Judge.

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At a Court of Probate held at Waterford within and for the County of Oxford, on the twenty-first day of January in the year of our Lord eighteen hundred and thirty-four.

EBER RICE, Administrator of the estate of Henry Coolidge, late of Waterford in said County, deceased, having presented his second account of administration of the estate of said deceased.

ORDERED,

That the said Administrator give notice to all persons interested, by causing a copy of this order to be published three weeks successively in the Oxford Democrat printed in Paris, that they may appear at a Probate Court to be held at Paris in said County, on the first Tuesday of March next at ten o'clock in the forenoon and shew cause, if any they have, why the same should not be allowed.

STEPHEN EMERY, Judge.

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At a Court of Probate held at Waterford within and for the County of Oxford, on the twenty-first day of January in the year of our Lord eighteen hundred and thirty-four.

REUEL WASHBURN, Administrator of the estate of Davis Washburn late of Livermore in said County, deceased, having presented his second account of administration of the estate of said deceased.

ORDERED,

That the said Administrator give notice to all persons interested, by causing a copy of this order to be published three weeks successively in the Oxford Democrat printed in Paris, that they may appear at a Probate Court to be held at Paris in said County, on the first Tuesday of March next at ten o'clock in the forenoon and shew cause, if any they have, why the same should not be allowed.

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At a Court of Probate held at Waterford within and for the County of Oxford, on the twenty-first day of January in the year of our Lord eighteen hundred and thirty-four.

ISAAC W. HOBBS, late of Fyreford, in the county of Oxford, deceased, having presented his second account of administration of the estate of said deceased.

ORDERED,

That the said Administrator give notice to all persons interested, by causing a copy of this order to be published three weeks successively in the Oxford Democrat printed in Paris, that they may appear at a Probate Court to be held at Paris in said County, on the first Tuesday of March next at ten o'clock in the forenoon and shew cause, if any they have, why the same should not be allowed.

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